

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TONY KOLE, *et al.*,

Plaintiffs,

v.

VILLAGE OF NORRIDGE,

Defendant.

No. 11-CV-03871

Hon. Judge Thomas M. Durkin
U.S. District Judge

Hon. Morton Denlow
U.S. Magistrate Judge

DEFENDANT'S MOTION TO COMPEL DEPOSITION OF TONY KOLE

NOW COMES Defendant, Village of Norridge, by its counsel, and move this Court compel the deposition of Plaintiff Tony Kole, and in support of that motion states the following:

1. According to the June 17, 2014 order of this Court, Plaintiffs were to file a memorandum in support of their motion for preliminary injunction by June 24, 2014. By agreement with Defendant's counsel, Plaintiffs filed the memorandum on June 25, 2014.

2. On June 27, 2014, Plaintiffs filed a "Declaration of Tony Kole" in support of their motion for preliminary injunction.

3. Defendant requires a limited deposition of Plaintiff Tony Kole to address matters asserted in the memorandum and declaration filed by the Plaintiffs.

4. On July 3, 2014, Daniel J. Bolin, an attorney for the Defendants, left a voice message for David G. Sigale, an attorney for the Plaintiffs, inquiring about Mr. Kole's availability for a deposition.

5. On July 8, 2014, Defendant served Plaintiffs by first class mail with a "Notice of Deposition" for Tony Kole, to be taken on July 15, 2014 at 10:00 a.m.

6. On July 10, 2014, Defendant served Plaintiffs by email with the above-referenced “Notice of Deposition” for Tony Kole.

7. On July 11, 2014, Mr. Bolin left a voice message for Mr. Sigale, to confirm the July 15, 2014 deposition. Mr. Sigale responded with a voice message indicating he was not available on that date, and that he would consult with his client for an alternate date.

8. On July 14, 2014, Mr. Bolin left Mr. Sigale another message, inquiring about Plaintiff Tony Kole’s availability for a deposition.

9. At present, Defendant’s response to Plaintiff’s motion for preliminary injunction is due on July 22, 2014.

10. Where Defendant requires the deposition of Plaintiff Tony Kole to adequately respond to Plaintiff’s motion for preliminary injunction, Defendant is left with no choice but to file the instant motion to compel.

WHEREFORE, Defendant prays that this Court will compel the deposition of Tony Kole, and provide such other and further relief the Court deems just and proper.

VILLAGE OF NORRIDGE

/s/ Daniel J. Bolin
One of its attorneys

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